

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Ronald D. Leonard, :
Plaintiff : Civil Action 2:11-cv-01091

v. : Judge Marbley

Warden Shelton, *et al.*, : Magistrate Judge Abel
Defendants :
:

ORDER

Plaintiff Ronald D. Leonard, a state prisoner, brings this action alleging that defendants violated his constitutional rights under the Fifth, Eighth, and Fourteenth Amendments . This matter is before the Court on the Magistrate Judge's December 22, 2011 Initial Screening Report and Recommendation recommending partial dismissal of the complaint

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court **ADOPTS** the Report and Recommendation and **DISMISSES** plaintiff's claims under the Fifth and Fourteenth Amendment. Plaintiff's motion for a preliminary injunction is **DENIED**.

Plaintiff's claim for violation of his Eighth Amendment rights remains.

s/ Algenon L. Marbley
Algenon L. Marbley
United States District Judge